



**DEBRA BOWEN** | SECRETARY OF STATE | STATE OF CALIFORNIA  
1500 11th Street, 6th Floor | Sacramento, CA 95814 | Tel (916) 653-7244 | Fax (916) 653-4620 | [www.sos.ca.gov](http://www.sos.ca.gov)

June 13, 2007

Scott W. Hunsaker  
Vice President, Development  
1650 Coal Creek Drive, Suite E  
Lafayette, CO 80026

Fax: 303-385-6477  
Email: [shunsaker@hartic.com](mailto:shunsaker@hartic.com)

**Via Facsimile and E-mail**

**Re: Hart System 6.1**

Dear Mr. Hunsaker:

The purpose of this letter is to memorialize formally the decision by Hart InterCivic, Inc. ("HART"), not to submit its System 6.1 voting system, certified by the Secretary of State on March 10, 2006, to the Secretary of State's Top-To-Bottom Review of Voting Systems pursuant to Section 19222 of the California Elections Code. Specifically, in our telephone conference on May 18, 2007, you stated that HART has voluntarily chosen to forego review of the currently certified System 6.1 because HART intends to upgrade its remaining California customers using System 6.1 to System 6.2.1, which was certified by the Secretary of State on September 22, 2006, and to submit System 6.2.1 to the Top-To-Bottom Review.

As we discussed in our conference calls on May 9, 2007, and May 18, 2007, the effects of this choice on System 6.1 are described in the Frequently Asked Questions About Secretary of State Debra Bowen's Top-To-Bottom Review of California's Voting Systems, posted on the agency's website at [www.ss.ca.gov/elections/voting\\_systems/ttbr/qa\\_20070511.pdf](http://www.ss.ca.gov/elections/voting_systems/ttbr/qa_20070511.pdf), as follows:

... If a vendor opts out of the top-to-bottom review but does *not* submit a replacement system for certification by July 1, 2007, the Secretary of State may either decertify or conditionally recertify the existing system for 2008 elections with additional restrictions.

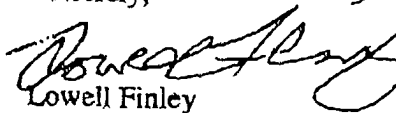
Please acknowledge, by your signature or the signature of another duly-authorized officer below, that this letter accurately reflects the decision of HART with respect to the

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System 6.1 voting system as it relates to the Top-To-Bottom Review and reflects the agreement of HART that its decision will result in the voluntary decertification of System 6.1 for the February 5, 2008, election and thereafter. Further, by your signature below you agree that the Secretary of State may conditionally recertify System 6.1, with additional restrictions or requirements for use, if HART does not submit System 6.2.1 to the Top-To-Bottom Review and does not apply for California certification of an upgraded, federally-approved system on or before July 1, 2007, or if a system for which timely application is made is not certified following state testing.

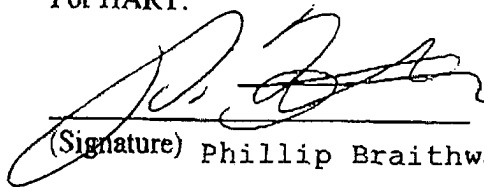
Please provide a facsimile of the counter-signed letter no later than Friday, June 15, 2007, in addition to returning the original counter-signed copy. Thank you for your cooperation.

Sincerely,



Lowell Finley  
Deputy Secretary of State  
Voting Systems Technology and Policy

For HART:



(Signature) Phillip Braithwaite

Senior Vice President &  
(Type or print name and title) General Manager

Elections Solutions  
Hart InterCivic, Inc.

Date: June 15, 2007